

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

TERRY COOMBS,

Plaintiff,

v.

1:22-cv-00041-JHR

FORREST FENN, ZOE OLD,
JENNY KILE, DOUGLAS PRESTON,
TAYLOR SWIFT and JACK STUEF,

Defendants.

ORDER GRANTING EXTENSION OF TIME

Pro se Plaintiff filed his first complaint regarding this matter on August 20, 2021. *See* Civil Rights Complaint Pursuant to 42 U.S.C. § 1983, Doc. 1, filed in *Coombs v. Fenn*, No. 1:21-cv-00806-WJ-LF ("*Coombs I*"). Chief United States District Judge William P. Johnson dismissed *Coombs I* without prejudice for failure to state a claim because Plaintiff had not alleged plausible, non-conclusory, and non-speculative facts that the treasure was hidden at the location identified by Plaintiff or that Fenn or others retrieved or conspired to retrieve the treasure from the location identified by Plaintiff. *See* Doc. 15 at 9, filed December 27, 2021, in *Coombs I*.

Plaintiff subsequently filed this case. Because the factual allegations in the Complaint in this case are very similar to those in Plaintiff's amended complaint and supplements filed in *Coombs I*, the Court ordered Plaintiff to show cause why the Court should not dismiss this case for the same reasons it dismissed *Coombs I*. *See* Doc. 5, filed February 1, 2022.

Plaintiff now seeks a 21-day extension of time to file an amended complaint stating he "is in contact and in negotiation to retain an Attorney" ... [and] An Attorney will need some time to create an amended Complaint." Motion for Extension at 1.

IT IS ORDERED that Plaintiff's Response to Order to Show Cause, Motion for Extension of Time to File an Amended Complaint, Doc. 6, filed February 22, 2022, is **GRANTED**. Plaintiff shall have 21 days from entry of this Order to file an amended complaint. Failure to timely file an amended complaint may result in dismissal of this case. To participate in this case, an attorney must be eligible to appear under D.N.M.LR-Civ. 83.2 or 83.3. The District of New Mexico's Local Rules are available on the Court's website: www.nmd.uscourts.gov.

A handwritten signature in blue ink, appearing to read "J H Ritter", is written over a horizontal line.

JERRY H. RITTER
UNITED STATES MAGISTRATE JUDGE